

Assembly Bill No. 524

Passed the Assembly May 29, 2013

Chief Clerk of the Assembly

Passed the Senate September 9, 2013

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2013, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 519 of the Penal Code, relating to immigrants.

LEGISLATIVE COUNSEL'S DIGEST

AB 524, Mullin. Immigrants: extortion.

Existing law defines extortion as the obtaining of property from another, with consent, or the obtaining of an official act of a public officer, induced by a wrongful use of force or fear, or under color of official right. Existing law further provides that fear sufficient to constitute extortion may be induced by certain threats, including a threat to accuse the threatened individual, or his or her relative or family, of a crime.

This bill would provide that a threat to report the immigration status or suspected immigration status of the threatened individual, or his or her relative or a member of his or her family, may also induce fear sufficient to constitute extortion. The bill would also specify that its provisions are intended to clarify existing law. By broadening the acts that constitute a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

The people of the State of California do enact as follows:

SECTION 1. Section 519 of the Penal Code is amended to read:

519. Fear, such as will constitute extortion, may be induced by a threat, either:

1. To do an unlawful injury to the person or property of the individual threatened or of a third person; or,
2. To accuse the individual threatened, or a relative of his or her, or member of his or her family, of a crime; or,

3. To expose, or to impute to him, her, or them a deformity, disgrace, or crime; or,
4. To expose a secret affecting him, her, or them; or,
5. To report his, her, or their immigration status or suspected immigration status.

SEC. 2. The Legislature finds and declares that the amendments to Section 519 of the Penal Code made by this act are intended to clarify existing law.

SEC. 3. No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.

Approved _____, 2013

Governor